

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of ALEXANDER BLAKE ELERY  
and AARON CHRISTIAN ELERY, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

WENDY MARIE DORKING RIEF,

Respondent-Appellant,

and

WILLIAM KING ELERY,

Respondent.

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UNPUBLISHED  
September 30, 2003

No. 247577  
Lapeer Circuit Court  
Family Division  
LC No. 92-005929

Before: Smolenski, P.J., and Murphy and Wilder, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g), (h), and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.947(I), now MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Testimony before the trial court established that, with the exception of their first three months of life, respondent-appellant did not have the children in her care and custody or provide for their support. Over the more than ten years since that time, respondent-appellant had only minimal contact with the children and had not established any meaningful parent-child relationship with them. Additionally, as a result of her incarceration and substance abuse problems, there was no indication that she would be able to provide proper care and custody for them within a reasonable time in the future given their ages. The trial court also heard testimony that, because of the inconsistency of respondent-appellant's

relationship with her children, returning them to her care could cause them psychological and/or emotional harm.

Further, the record in this matter did not show that termination of respondent-appellant's parental rights was contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the minor children.

Affirmed.

/s/ Michael R. Smolenski

/s/ William B. Murphy

/s/ Kurtis T. Wilder